

**Pt. 77, SFAR No. 98**

**14 CFR Ch. I (1–1–11 Edition)**

- 77.28 Military airport imaginary surfaces.
- 77.29 Airport imaginary surfaces for heliports.

**Subpart D—Aeronautical Studies of Effect of Proposed Construction on Navigable Airspace**

- 77.31 Scope.
- 77.33 Initiation of studies.
- 77.35 Aeronautical studies.
- 77.37 Discretionary review.
- 77.39 Effective period of determination of no hazard.

**Subpart E—Rules of Practice for Hearings Under Subpart D**

- 77.41 Scope.
- 77.43 Nature of hearing.
- 77.45 Presiding officer.
- 77.47 Legal officer.
- 77.49 Notice of hearing.
- 77.51 Parties to the hearing.
- 77.53 Prehearing conference.
- 77.55 Examination of witnesses.
- 77.57 Evidence.
- 77.59 Subpoenas of witnesses and exhibits.
- 77.61 Revision of construction or alteration proposal.
- 77.63 Record of hearing.
- 77.65 Recommendations by parties.
- 77.67 Final decision of the Administrator.
- 77.69 Limitations on appearance and representation.

**Subpart F—Establishment of Antenna Farm Areas**

- 77.71 Scope.
- 77.73 General provisions.
- 77.75 Establishment of antenna farm areas.

AUTHORITY: 49 U.S.C. 106(g), 40103, 40113–40114, 44502, 44701, 44718, 46101–46102, 46104.

SOURCE: Docket No. 1882, 30 FR 1839, Feb. 10, 1965, unless otherwise noted.

EFFECTIVE DATE NOTE: By Amdt. 77–13, 75 FR 42303, July 21, 2010, part 77 was revised, effective Jan. 18, 2011. The revised text follows this part.

**SPECIAL FEDERAL AVIATION REGULATION NO. 98—CONSTRUCTION OR ALTERATION IN THE VICINITY OF THE PRIVATE RESIDENCE OF THE PRESIDENT OF THE UNITED STATES**

Section 1. *Construction or alteration near the private residence of the President.* This section applies to:

- (a) Any object of natural growth, terrain, or permanent or temporary construction or alteration, including appurtenances and equipment or materials used therein.

- (b) Any apparatus of a permanent or temporary character.

Section 2. *Notice of Construction/Alteration.* Proponents proposing construction or alteration of any object described in Section 1 that would exceed 50 feet AGL and is within 3 NM radius of lat. 31°34'45 N, long. 97°32'00 W shall notify the Administrator in the form and manner prescribed in 14 CFR 77.17.

Section 3. *Obstruction Standard.*

- (a) Any object described in Section 1 that would exceed 50 feet AGL and is within 3 NM radius of lat. 31°34'45N, long. 97°32'00W is an obstruction and is presumed to adversely affect aviation safety and therefore is a hazard to air navigation.

- (b) A Determination of No Hazard will be issued only when the FAA determines, based upon submitted information and in consultation with the USMC and the SSPPD, that the construction or alteration will not adversely affect safety and would not result in a hazard to air navigation.

Section 4. *Termination.* This rule will terminate at the end of President George W. Bush's term in office.

[Doc. No. FAA–2003–14972, 68 FR 19732, Apr. 22, 2003; 68 FR 23584, May 5, 2003]

**Subpart A—General**

**§ 77.1 Scope.**

This part:

- (a) Establishes standards for determining obstructions in navigable airspace;

- (b) Sets forth the requirements for notice to the Administrator of certain proposed construction or alteration;

- (c) Provides for aeronautical studies of obstructions to air navigation, to determine their effect on the safe and efficient use of airspace;

- (d) Provides for public hearings on the hazardous effect of proposed construction or alteration on air navigation; and

- (e) Provides for establishing antenna farm areas.

**§ 77.2 Definition of terms.**

For the purpose of this part:

*Airport available for public use* means an airport that is open to the general public with or without a prior request to use the airport.

*A seaplane base* is considered to be an airport only if its sea lanes are outlined by visual markers.

*Nonprecision instrument runway* means a runway having an existing instrument approach procedure utilizing air